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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

9 JOHN STEVEN OLAUSEN,

Petitioner,

11 | VS.

12 | E. K. McDANIEL,

## Respondent.

Case No. 3:05-cv-00631-LRH-RAM

## ORDER

Petitioner has filed a motion for recusal or disqualification (#12). The basis for the motion is that the undersigned's son now is the Washoe County District Attorney, where petitioner's criminal proceedings occurred. However, the undersigned's son was elected Washoe County District Attorney in Fall 2014 and entered office in January 2015. All this occurred long after this action was closed, not to mention long after the state-court criminal proceedings had concluded, and no reason for recusal exists.

Reasonable jurists would not find this court's conclusion to be debatable or wrong, and the court will not issue a certificate of appealability.

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1 IT IS THEREFORE ORDERED that petitioner's motion for recusal or disqualification (#12)  
2 is **DENIED**.

3 IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

4 DATED this 22nd day of December, 2015.

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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE